

Notice of Allowability

Application No.

09/559,259

Examiner

James A. Reagan

Applicant(s)

HIRANO ET AL.

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 27 March 2006.
2. ☒ The allowed claim(s) is/are 1-3 and 5-30.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Status of Claims

1. This action is in response to the amendment filed on 27 March 2006.
2. Claim 25 has been amended.
3. Claims 27-30 have been added.
4. Claims 1-3 and 5-30 have been examined.

Allowable Subject Matter

5. Claims 1-3 and 5-30 are allowed. See Reasons for Allowance under separate heading.

Reasons For Allowance

6. The following is an Examiner's statement of reasons for allowance:

None of the art of record, taken individually or combination, disclose at least the method step or system component of:

- *extracting a portion of a digital content file to be distributed to prepare a preview sample as an index to the digital content file for representing the digital content file;*
- *preparing a substantive file by encrypting the digital content file with a content key;*
- *preparing user specific authorization information by encrypting the content key based upon user information;*
- *preparing a user specific authorization information embedded preview sample by embedding the user specific authorization information, containing information for accessing the encrypted digital content file, as invisible information in the extracted preview sample;*

- *synthesizing the substantive file and the user-specific-authorization-information-embedded preview sample to prepare a synthesized digital content file;*

Independent Claims 1 and 25-30 are distinguished over the closest prior art of Stefik, which teaches embedding a watermark in a digital file that contains rights privileges (Abstract, column 12, lines 10-15). A review of entire Stefik reveals that Stefik discusses the "watermark data typically provides information relating to the owner of a document, the rights associated with that copy of the document and information relating to rendering event (e.g., when and where the document was printed). This information will typically aid in deterring or preventing unauthorized copying of the rendered work" (column 3, lines 22-39 and column 12, lines 10-51). However, Stefik fails to disclose or suggest other range of uses of watermark technology as well as location or integration of the watermark (see Stefik, column 10, line 66 to column 11, line 23). In other words, Stefik fails to disclose or suggest the claimed present invention's sample preview that has invisible authorization and index information for accessing the encrypted portion of the content.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

"Digital Watermarking and Tracking" (Jan. 26, 1998) discloses a digital watermarking technology.

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Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **James A. Reagan** whose telephone number is **571.272.6710**. The Examiner can normally be reached on 8:00a - 5:00p M-F. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James Trammell** can be reached at **571.272.6712**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> . Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

571-273-8300 [Official communications, After Final communications labeled "Box AF"]

571-273-8300 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window:**

Randolph Building

401 Dulany Street

Alexandria, VA 22314.

JAMES A. REAGAN

Primary Examiner

Art Unit 3621

02 June 2006



**JAMES A. REAGAN
PRIMARY EXAMINER**